



## Office of the County Administrator

Jerome C. Wilverding, *County Administrator*

Sandra Regalo, *Assistant County Administrator*

February 1, 2022

Board of Supervisors  
County Administration Building  
Stockton, CA

Dear Board Members:

**Approval of Resolution of Intention to Participate in the Proposed “Mosssdale Tract Enhanced Infrastructure Financing District” and Newly Formed Public Financing Authority  
(1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Districts)**

### **RECOMMENDATION**

It is recommended that the Board of Supervisors, by Board resolution:

1. Adopt a Resolution of Intention to participate in the proposed Mosssdale Tract Enhanced Infrastructure Financing District (EIFD) and associated Public Financing Authority (PFA) established to finance the construction and/or acquisition of capital improvements planned to provide Urban Level of Flood Protection (ULOP) for the Mosssdale Tract; and
2. Amend Resolution R-22-1 to add the PFA to the 2022 Committee Assignments and appoint Chair Charles Winn and Supervisor Katherine Miller to represent the County on the PFA Board; and
3. Confirm the public-at-large member appointments of Mike Morowit and Steve Dresser to the PFA; and
4. Direct the County Clerk of the Board and staff to assist and coordinate with the City of Lathrop in any manner reasonably necessary to give effect to or carry out the intent of the resolution.

### **REASONS FOR RECOMMENDATION**

#### ***Enhanced Infrastructure Financing District***

Enhanced Infrastructure Financing District (EIFD) are districts that receive revenue generated from the growth in property taxes collected from within a designated district boundary from certain entities that consent to an agreed upon allocation of their property tax revenues.

EIFD's are new entities governed by the creation of a Public Finance Authority (PFA). California Government Code sections 53398.50-53398.88 enable jurisdictions to consider formation of EIFDs as a means of using tax increment financing to fund a variety of eligible improvements with communitywide benefit. An EIFD may be formed by resolution of the governing body of a City or a County proposing to dedicate all or a portion of its incremental property tax revenue to the EIFD.

At today's meeting, San Joaquin Area Flood Control Agency (SJAFCA) staff and consultants will provide the Board with a briefing. Following the briefing on the EIFD, staff recommends that the Board approve the resolution declaring its intent to participate in the recently established Mossdale Tract Enhanced Infrastructure Financing District. The Mossdale Tract EIFD does not impose any new tax on property owners. The participating jurisdictions will contribute a portion of property tax increment revenues generated from increased assessed value to the Mossdale Tract EIFD.

The Mossdale Tract EIFD was proposed to be established by an action of the Lathrop City Council taken on January 13, 2022 for the purpose of helping finance the necessary flood protection improvements that would provide a 200-year ULOP to the Mossdale Tract Area pursuant to Senate Bill 5 (SB5) requirements. These flood improvements must be constructed by 2028. As part of the region's efforts to comply with SB5 requirements, since 2017, the Cities of Lathrop, Manteca, Stockton, and San Joaquin County have worked jointly to establish an EIFD and other mechanisms to fund the flood protection improvement project.

The Mossdale Tract EIFD (boundary map to the right and **Attachment 3**) includes approximately 5,125 developable acres. Approximately 11,200 housing units and 33.1 million square feet of nonresidential buildings are anticipated in the Mossdale Tract EIFD between the assumed Base Year of the EIFD (Fiscal Year 2022-2023) and buildout (2060). As development takes place throughout the area and as the assessed value of property increases over time, net new property taxes will be generated. As those taxes are allocated to the Affected Taxing Entity (ATE), a portion of the net new property taxes will be allocated to the Mossdale Tract EIFD.



The proposed amount of tax increment expected to be presented to the PFA after formation, is as follows:

<b>ULOP Project Construction Anticipated to run through 2029 (Initial Years)</b>			
<b>Entities</b>	<b>%(flat rate)/Initial Base Rates</b>	<b>Additional EIFD Contribution/Property Tax Increment</b>	<b>Total</b>
City of Lathrop	10%	-	10%
City of Manteca	5%	-	5%
City of Stockton	1%	-	1%
San Joaquin County	10%	37%	47%*
<i>*This additional contribution would be subject to priority repayment, with interest, by SJAFCA from future Mossdale Tract Area Regional Levee Impact Fee revenues collected after 2029.</i>			

Following the Initial Years, the maximum portion of the total property tax increment revenue allocation proposed to be apportioned to the EIFD will be 20% until such time as the cost of eligible EIFD facilities has been satisfied.

The total estimated project cost is approximately \$270 million. Multiple funding mechanisms are proposed to fund the flood improvement project.

<b>Funding Mechanisms</b>	<b>Estimated Amount (Million)</b>
Reclamation District 17 after the completion of its Phase 3 Levee Seepage Repair Project	\$12.8
Regional Development Impact Fee Program	\$58.5
New Overlay Assessment District that would overlay the Reclamation District 17's existing assessment (OAD)	\$63.8
Proposed Mossdale Tract EIFD	\$22.5
Proceeds of bonds issued and secured by future OAD and EIFD revenues	\$112.4
<b>Estimated Total Project Costs</b>	<b>\$270.0</b>

### ***Proposed Overlay Assessment District***

Your Board has supported the implementation of the Mossdale Tract ULOP Program and associated funding mechanisms by supporting the amendment of the SJAFCA Joint Exercise of Powers Agreement in late 2017, and supporting the implementation of the Regional Development Impact Fee in 2018.

SJAFCA is currently working to evaluate and implement the proposed Overlay Assessment District (OAD) in the future. The implementation of the OAD would be subject to a Proposition 218 ballot proceeding process whereby all property owners subject to the proposed assessment would be sent ballots and be given the opportunity to vote on the assessment.

If the OAD is not approved, the assessment would not be imposed, and the advancement of the Mossdale ULOP Project would be halted until alternative funding mechanisms are identified.

### ***Public Financing Authority***

The initial resolution adopted by the City of Lathrop on January 13, 2022 commencing the formation an EIFD establishes a Public Financing Authority Board pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with section 53398.50). The PFA will move through the EIFD formation process and, once fully formed, will operate as the governing board of the EIFD.

The PFA's membership is required to consist of members of the legislative body of each Affected Taxing Entity (ATE) and a minimum of two members of the public chosen collectively by the legislative bodies of ATEs.

In the case of the proposed Mossdale Tract EIFD, SJAFCA staff and the consultant team have recommended that each ATE appoint two members from their respective legislative bodies:

<b>Affected Taxing Entity</b>	<b>Public Financing Authority Governing Body 10 Members</b>
City of Lathrop	2
City of Manteca	2
City of Stockton	2
San Joaquin County	2
Public-at-Large Members	2
<b>Total PFA Members</b>	<b>10</b>

### ***SJAFCA Membership Overlap Recommended Approach***

SJAFCA and staff's recommended approach is to attempt to have the PFA membership overlap as much as possible with the SJAFCA Board of Director's membership. This would allow for consistency in governance with respect to the funding and financing of the Program and project implementation. In addition, it has the benefit of streamlining

administration (and thus reducing the cost of the EIFD) by allowing for efficient meeting scheduling and attendance by Board membership. Given this, the resolution appoints the existing San Joaquin County Board of Supervisors appointed to the SJAFCA Board of Directors to the Board of the PFA; Board Chair Charles Winn and Supervisor Katherine Miller.

The initial selection of the public-at-large membership has been selected by the City of Lathrop as part of its initial action (**Attachment 2**). As indicated in Lathrop's initial resolution, the public members are to have terms of two years and the selection of the public members, subject to collective approval by the ATEs, is to rotate through the ATEs of the PFA. Because SJAFCA's Board of Directors has one public member, one of the two public members of the PFA selected by Lathrop is Mr. Mike Morowit (a former City of Manteca Councilmember) who currently occupies the one public member position on the SJAFCA Board of Directors. The City of Lathrop has selected Mr. Steve Dresser, a former Lathrop City Councilmember and former SJAFCA Board Member, as the second public member. As noted above, the appointment of the public membership is to be collectively selected by the ATEs, therefore Lathrop's selections for the public membership on the PFA Board is subject to the approval by the Board of Supervisors.

The PFA Board would then meet and continue the next steps of the EIFD formation process. Final approval of the formation of the EIFD would come back to each of the respective City Councils and the Board of Supervisors in the future after the PFA completes the following:

1. Preparation of an Infrastructure Financing Plan which includes the requisite analyses and content;
2. Mailing of required notices to residents other taxing entities within the proposed boundary of the EIFD; and,
3. Conducting three required public hearings as described in **Attachment 4**.

The City of Lathrop has taken the first step toward the creation of the EIFD with its resolution on January 13, 2022 (**Attachment 2**). With Lathrop commencing the process to create the Mossdale Tract EIFD and establishing the governing body, the PFA, the next step is for each of the participating entities Manteca, Stockton, and the County, to each take corresponding actions declaring their intent to participate in the EIFD, appointing two of their respective members on the newly created PFA Board and approving the appointment of the two public members selected by the City of Lathrop. These actions have taken place by the City of Manteca January 18, 2022 and City of Stockton (February 8, 2022).

### ***EIFD Process***

The Mossdale Tract EIFD will be funded from property tax increment revenues, which would be pledged, in conjunction with revenues from the proposed Overlay Assessment District, to repay bonds issued to fund construction of the improvements needed to achieve ULOP.

The amount that would otherwise be allocated to an ATE, but diverted to the Mossdale Tract EIFD, will be the amount specified in the Infrastructure Financing Plan (IFP) prepared by the PFA and subject to approval by each of the ATEs prior to the Third Public Hearing of the PFA as outlined in **Attachment 4**. The amount of tax increment allocated by each ATE will be subject to change over time as SJAFCA's ULOP Project is implemented.

The revenues allocated to the EIFD would be transferred to SJAFCA to fund the ULOP Project initially on a Pay-As-You go basis. To finance the construction of the ULOP Project, it is expected that SJAFCA would issue two separate series of debt instruments. The first debt issuance would be secured by a pledge of OAD revenues and the second series would be secured by a combined pledge of OAD revenues and EIFD revenues pledged to SJAFCA.

This conceptual plan is subject to further analysis and approval by each of the ATEs as well as property owners with respect to the proposed OAD.

Approval of the Resolution of Intention to participate in the proposed EIFD does not obligate the County to approve the IFP. Formation of the EIFD and the County's participation is subject to the Board of Supervisors future approval of the IFP and the PFA's subsequent approval.

### **FISCAL IMPACT**

There is no Net County Cost to the County by adopting a Resolution of Intention to participate in the Enhanced Infrastructure Financing District and associated Public Financing Authority.

All initial costs associated with the formation of the EIFD are covered by SJAFCA. The fiscal impacts of the EIFD to the County will be analyzed as part the preparation of the IFP and when the Board considers approval of the IFP at a later date (currently estimated to be June 2022), and fiscal impacts will be presented in detail at that time.

### **ACTION TO BE TAKEN FOLLOWING APPROVAL**

Upon approval of this resolution, the newly formed Public Financing Authority Board will commence meeting and continue the formation process. The first meeting of the PFA

Board of Supervisors  
CAO - Approval of Reso of Intent Ptp Mossdale  
Tract EIFD and PFA.

February 1, 2022  
Page 7

Board is scheduled for February 17, 2022. However, if the Board does not approve this resolution, the scheduled PFA Board meeting would not take place.

Very truly yours,



Jerome C. Wilverding  
County Administrator

Attachments:

1. Attachment 1 - Resolution
2. Attachment 2 - Exhibit "A" to Resolution
3. Attachment 3 - Exhibit "B" to Resolution
4. Attachment 4 - Public Financing Authority Membership

c: Clerk of the Board  
County Counsel  
Public Works  
Auditor-Controller  
Clerk of the Board for 2/15/22

BL-02-03

Reviewed by County Counsel's Office:



J. Mark Myles, County Counsel

2/1/2022

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN  
STATE OF CALIFORNIA

R E S O L U T I O N

R-

**RESOLUTION OF INTENT TO PARTICIPATE IN THE PROPOSED MOSSDALE  
TRACT ENHANCED INFRASTRUCTURE FINANCING DISTRICT AND NEWLY  
FORMED PUBLIC FINANCING AUTHORITY**

**WHEREAS**, on January 13, 2022, the City Council of the City of Lathrop (“City Council”) approved Resolution No. 22-5019 which is attached to this Resolution as **Exhibit A** (“Lathrop Resolution”); and

**WHEREAS**, pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with section 53398.50) (the “EIFD Law”), the Lathrop Resolution authorized the initiation of a process to establish an Enhanced Infrastructure Financing District whose proposed name is the “Mosssdale Tract Enhanced Infrastructure Financing District” (“Mosssdale EIFD”); and

**WHEREAS**, in accordance with section 53398.54 of the EIFD Law, the County of San Joaquin (“County”) has complied with the prerequisites prior to initiating the creation of or participating in the governance of the proposed Mosssdale EIFD and will provide the required certification to the Department of Finance in accordance with the EIFD Law if required; and

**WHEREAS**, the proposed boundaries of the Mosssdale EIFD are identified on a map of the Mosssdale EIFD on file in the office of the City Clerk of the City of Lathrop entitled “Proposed Boundaries of the Mosssdale EIFD” a copy of which is attached to this Resolution as **Exhibit B**; and

**WHEREAS**, the proposed Mosssdale EIFD will be used to finance certain public flood control facilities including, but not limited to, public flood risk reduction infrastructure within the proposed boundaries of the Mosssdale EIFD; and

**WHEREAS**, the Lathrop Resolution also established a Public Financing Authority (“PFA”) to serve as the governing body of the proposed Mosssdale EIFD and which will also be responsible for implementing the Infrastructure Financing Plan (“IFP”) required under EIFD Law; and

**WHEREAS**, as stated in the Lathrop Resolution, it is proposed that the County participate with the City of Lathrop in the proposed Mosssdale EIFD as a taxing entity; and

**WHEREAS**, the IFP must be approved by the Board of Supervisors of the County of San Joaquin (“Board of Supervisors”) before the County may be considered a participating taxing entity in the proposed Mosssdale EIFD or any incremental tax revenue from the County may be used by the proposed Mosssdale EIFD; and



**WHEREAS**, it is anticipated that the participating taxing entities for the proposed Mossdale EIFD shall be the County, the City of Manteca, City of Lathrop, and the City of Stockton, as participating taxing entities (collectively, the “Participating Entities”).

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of San Joaquin that:

**SECTION 1. Recitals.** The foregoing recitals are true and correct.

**SECTION 2. Intention to Participate.** The Board of Supervisors intends that the County will participate in the proposed Mossdale EIFD as described in the Lathrop Resolution as a taxing entity if the Board of Supervisors approves the IFP at a later date.

**SECTION 3. Appointment of County PFA Members.** Pursuant to Government Code section 53398.51.1, the Board of Supervisors hereby appoints the following two Board of Supervisors members, who also serve on the board of the San Joaquin Area Flood Control Agency (“SJAFCA”), to serve on the governing board of the Public Financing Authority:

Katherine Miller  
Chuck Winn

**SECTION 4. Approval of Public Membership Appointments and Membership Appointment Structure.** In compliance with the requirements of the EIFD Law, the Board of Supervisors approve the appointment of the following PFA public membership (subject to approval by the legislative bodies of the Participating Entities) and the legislative body membership appointment structure of the PFA:

Michael R. Morowit  
Steve Dresser

**SECTION 5. Distribution of Infrastructure Financing Plan.** In accordance with and in the manner authorized by the EIFD Law, the Board of Supervisors hereby authorizes the County staff and requests the assistance of City of Lathrop staff, PFA staff and SJAFCA staff to distribute a notice which summarizes the IFP and lists the internet website where applicable EIFD and CEQA documents may be found to each owner of land and resident within the boundaries of the proposed Mossdale EIFD and each affected taxing entity (as defined in the EIFD Law). The Board of Supervisors hereby authorizes County staff and requests the assistance of City of Lathrop staff, PFA staff and SJAFCA staff to also make available for public inspection the IFP and any required CEQA documents and to also distribute the IFP to the PFA, the planning commissions of the Participating Entities, and the legislative bodies of the Participating Entities in the manner authorized under the EIFD Law.

**SECTION 6. Providing of Notice.** The Clerk of the Board of Supervisors is authorized and requests the assistance of SJAFCA staff to mail a copy of (i) the Lathrop Resolution or (ii) a notice of intention containing specific information as set forth in California Government Code section 53398.60 to the PFA and each owner of land (as defined in the EIFD Law) within the proposed Mossdale EIFD, the Participating Entities, and to each affected taxing entity (as defined in the EIFD Law). The Clerk of the Board of Supervisors is hereby authorized to provide any assistance to the PFA so as to cause notice of the public hearings to be given in the manner and at the times and to have the notices contain the information required by the EIFD Law. The Clerk of the Board of Supervisors is hereby directed to assist the clerk of any of the other

Participating Entities in any manner reasonably necessary to give effect to or carry out the intent of this section.

**SECTION 7. Severability.** If any section, subsection, phrase, or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase, or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution that can be given effect without the severed portion.

**SECTION 8. General Authorization.** The Clerk of the Board of Supervisors and all other officers and agents of the County are hereby authorized and directed to take all actions necessary or advisable to give effect to the transactions contemplated by this Resolution. Any actions heretofore taken by said officers and agents, on behalf of the County, that is in conformity with the purposes and intent of this Resolution and with the provisions of the EIFD Law with respect to the proposed Mossdale EIFD, are hereby approved and confirmed.

**SECTION 9. Establishment of Mossdale EIFD.** This resolution in no way obligates the PFA to establish the Mossdale EIFD or for the Participating Entities to approve the IFP. The establishment of the Mossdale EIFD is subject to the approval of the PFA by resolution following the holding of the public hearing(s) in accordance with EIFD Law. The approval of the IFP is subject to approval by the respective legislative bodies of the Participating Entities at a later date in accordance with the EIFD Law.

**SECTION 10. Effective Date.** This Resolution shall take effect immediately upon its approval by the Board of Supervisors of the County of San Joaquin.

PASSED AND ADOPTED \_\_\_\_\_, by the following vote of the Board of Supervisors, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

ATTEST: RACHÉL DeBORD  
Clerk of the Board of Supervisors  
County of San Joaquin  
State of California



\_\_\_\_\_  
CHARLES WINN  
Chairman, Board of Supervisors  
County of San Joaquin  
State of California

By \_\_\_\_\_  
Deputy Clerk

**RESOLUTION NO. 22-5019**

**A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF LATHROP PROPOSING TO ESTABLISH AN ENHANCED INFRASTRUCTURE FINANCING DISTRICT TO FINANCE THE CONSTRUCTION AND/OR ACQUISITION OF CAPITAL IMPROVEMENTS, ESTABLISH A PUBLIC FINANCING AUTHORITY (PFA), APPOINT TWO LATHROP COUNCIL MEMBERS AND TWO PUBLIC MEMBERS TO THE PFA, AND AUTHORIZE CERTAIN OTHER ACTIONS RELATED THERETO**

**WHEREAS**, pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with section 53398.50) (the "EIFD Law"), the City Council (the "City Council") of the City of Lathrop (the "City") is authorized to initiate the process to establish an enhanced infrastructure financing district (the "EIFD"); and

**WHEREAS**, in accordance with section 53398.54 of the EIFD Law, the City has complied with the prerequisites prior to initiating the creation of or participating in the governance of the EIFD and will provide the required certification to the Department of Finance in accordance with the EIFD Law; and

**WHEREAS**, the City Council proposes the establishment of an EIFD to finance certain public flood control facilities including, but not limited to, public flood risk reduction infrastructure; and

**WHEREAS**, the EIFD will be formed by a public financing authority (the "Public Financing Authority" or "PFA") that will be the governing board of the EIFD and will be responsible for implementing the infrastructure financing plan; and

**WHEREAS**, in accordance with section 53398.51.1 of the EIFD Law, it is anticipated that the Public Financing Authority's governing board shall consist of members from the legislative bodies of the participating taxing entities, which are the City, San Joaquin County (the "County"), the City of Manteca, the City of Stockton (collectively, the "Participating Entities"), and two public members to be appointed by the legislative bodies of the Participating Entities;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council for the City of Lathrop does hereby determine and declare as follows:

**SECTION 1.** Recitals. The foregoing recitals are true and correct.

**SECTION 2.** Intention and Proposal to Establish EIFD. The City Council proposes and intends to cause the establishment of an EIFD under the provisions of the EIFD Law.

**SECTION 3.** Name of EIFD. The name proposed for the EIFD is "Mossdale Tract Enhanced Infrastructure Financing District."

**SECTION 4. Description of Boundaries.** The proposed boundaries of the EIFD are as shown on the map of the EIFD (attached to the January 13, 2022 staff report as Attachment B) which boundaries are hereby approved and to which map reference is hereby made for further particulars.

**SECTION 5. Description of Facilities & Development.** The types of public facilities proposed to be financed by the EIFD and pursuant to the EIFD Law are those listed as facilities in the January 13, 2022 staff report as Attachment C, incorporated herein (the "Facilities"). The development area to be assisted by the EIFD is commonly referred to as Mossdale Tract.

**SECTION 6. Necessity of EIFD and Goal.** The City Council hereby finds that the EIFD is necessary for the area within the EIFD, the City, and the Participating Entities. The City Council's goal for the EIFD is to create the means by which to assist in the provision of public flood control facilities of communitywide significance that provide significant benefits within the boundaries of the EIFD or the surrounding community and, for those facilities located outside the EIFD boundaries, also have a tangible connection to the EIFD.

**SECTION 7. Use of Incremental Tax Revenues.** The City Council hereby declares that, pursuant to the EIFD Law and, if approved by resolution of the City and if approved by resolution of the Participating Entities, pursuant to Government Code section 53398.68, incremental property tax revenue from the City and the Participating Entities within the EIFD, but not from any of the other affected taxing entities within the EIFD, will finance the Facilities. The incremental property tax revenues will be described in an infrastructure financing plan (the "Infrastructure Financing Plan") to be prepared for the PFA, the City Council, and the Participating Entities under the EIFD Law.

**SECTION 8. Establishment of Public Financing Authority.**

- A. The City Council agrees to the following legislative membership appointment structure and hereby establishes the PFA as the governing board of the EIFD.
- B. PFA membership shall be comprised of:
  - (i) The following two members of the City Council who also serve on the board of San Joaquin Area Flood Control Agency are hereby appointed by the City Council: **Paul Akinjo; Diane Lazard.**
  - (ii) From the County of San Joaquin, two Board of Supervisors members who also serve on the board of the San Joaquin Area Flood Control Agency to be appointed by the County of San Joaquin Board of Supervisors.

- (iii) From the City of Manteca, California, two City Council members who also serve on the board of the San Joaquin Area Flood Control Agency to be appointed by the Manteca City Council.
- (iv) From the City of Stockton, California, two City Council members who also serve on the board of the San Joaquin Area Flood Control Agency to be appointed by the Stockton City Council.
- (v) Two public members to be appointed by the legislative bodies of the Participating Agencies. The City Council approves the appointment of the following two PFA public members subject to approval by the legislative bodies of the Participating Entities:  
**Steve Dresser; Michael R. Morowit**

- C. Members shall serve at the pleasure of their respective appointing legislative bodies and shall continue to serve unless and until their respective appointing legislative bodies make a new appointment, the member resigns, or other forfeiture by operation of law. However, the term of the public members will be for a two (2) year term.
- D. The PFA membership is subject to compliance with the EIFD Law and Government Code sections 54970 and 54972.
- E. In the event any of the Participating Entities listed herein choose not to participate as a taxing entity under the EIFD Law, the PFA membership shall be adjusted to reflect that occurrence.
- F. Participating Entities may appoint alternates to their respective PFA membership appointments in accordance with the EIFD Law.
- G. Subsequent PFA public member appointments will be initiated by the legislative bodies of the other Participating Entities in alphabetical order.
- H. County of San Joaquin, City of Stockton, and City of Manteca's participation in the governance of the PFA is subject to adoption of the intent to participate by the respective legislative bodies of said agencies.

**SECTION 9.** Preparation of Infrastructure Financing Plan. The City Council hereby requests the PFA to request the assistance of County staff, San Joaquin Area Flood Control Agency ("SJAFCA") staff, and to direct Larsen Wurzel & Associates and Economic & Planning Systems Inc. to prepare the Infrastructure Financing Plan in accordance with the EIFD Law.

**SECTION 10.** Distribution of Infrastructure Financing Plan. In accordance with and in the manner authorized by the EIFD Law, the City Council hereby authorizes the City staff and requests the assistance of County staff and SJAFCA staff to distribute a notice which summarizes the Infrastructure Financing Plan and lists the internet website where applicable EIFD and CEQA documents may be found to each owner of land and resident within the boundaries of the EIFD and each affected taxing entity (as defined in the EIFD law). The City hereby authorizes City staff and requests the assistance of County staff and SJAFCA staff to also make available for public inspection the Infrastructure Financing Plan and any required CEQA documents and to also distribute the Infrastructure Financing Plan to the PFA, the planning commissions of the Participating Entities, and the legislative bodies of the Participating Entities in the manner authorized under the EIFD Law.

**SECTION 11.** Public Hearing. In accordance with the EIFD Law, the City Council hereby sets a public hearing for July 11, 2022, at the hour of 7:00 p.m. or as soon as possible thereafter as the matter may be heard at Lathrop City Hall, as the time and place when and where the City Council will conduct a hearing on the proposed establishment of the EIFD. In accordance with the EIFD Law, the City Council hereby sets the first PFA public hearing to be Wednesday, April 21, 2022 at the hour of 10:00 a.m. or as soon as possible thereafter as the matter may be heard, at the principal meeting place of the PFA which shall be the location of the SJAFCA Board meetings typically held at Stockton City Hall, 425 N. El Dorado Street, Second Floor in Council Chambers, as the time and place when and where the PFA will conduct the first public hearing on the proposed establishment of the EIFD and the Infrastructure Financing Plan in accordance with the EIFD Law. The date, time, and location of the following two public hearings required by the EIFD Law shall be established by the PFA in accordance with, and in the manner required by, the EIFD Law.

**SECTION 12.** Providing of Notice. City Clerk is directed to and the Clerk of the Board of Supervisors is hereby requested to mail a copy of (i) this Resolution, or (ii) a notice of intention containing specific information as set forth in California Government Code section 53398.60, to the PFA and each owner of land (as defined in the EIFD Law), within the EIFD, the Participating Entities, and to each affected taxing entity (as defined in the EIFD Law). The Clerk of the Board of Supervisors is hereby requested to provide any assistance to the PFA so as to cause notice of the public hearings to be given in the manner and at the times and to have the notices contain the information required by the EIFD Law. The City Clerk is hereby authorized to carry out the intent of this section and is directed to assist the Clerk of the Board of Supervisors or the clerk of any of the other Participating Entities in any manner reasonably necessary to give effect to or carry out the intent of this section.

**SECTION 13.** Establishment of EIFD. This Resolution in no way obligates the PFA to establish the EIFD or for the Participating Entities to approve the Infrastructure Financing Plan.



The establishment of the EIFD is subject to the approval of the PFA by resolution following the holding of the public hearing(s) referred to above. The approval of the Infrastructure Financing Plan is subject to approval by the respective legislative bodies of the Participating Entities at a later date in accordance with the EIFD Law.

**SECTION 14.** Severability. If any section, subsection, phrase, or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase, or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution that can be given effect without the severed portion.

**SECTION 15.** General Authorization. The City Clerk and all other officers and agents of the City are hereby authorized and directed to take all actions necessary or advisable to give effect to the transactions contemplated by this Resolution. Any actions heretofore taken by said officers and agents, on behalf of the City, that is in conformity with the purposes and intent of this Resolution and with the provisions of the EIFD Law with respect to the Mossdale EIFD, are hereby approved and confirmed.

**SECTION 16.** Effective Date. This Resolution shall take effect immediately upon its adoption.

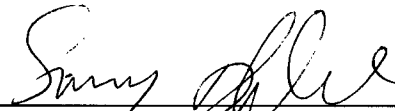
The foregoing resolution was passed and adopted this 13<sup>th</sup> day of January 2022, by the following vote of the City Council, to wit:

AYES: Akinjo, Lazard, Torres-O'Callaghan, and Dhaliwal

NOES: None

ABSENT: Diallo

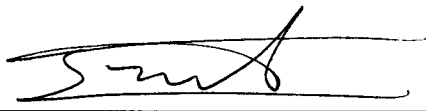
ABSTAIN: None

  
\_\_\_\_\_  
Sonny Dhaliwal, Mayor

**ATTEST:**

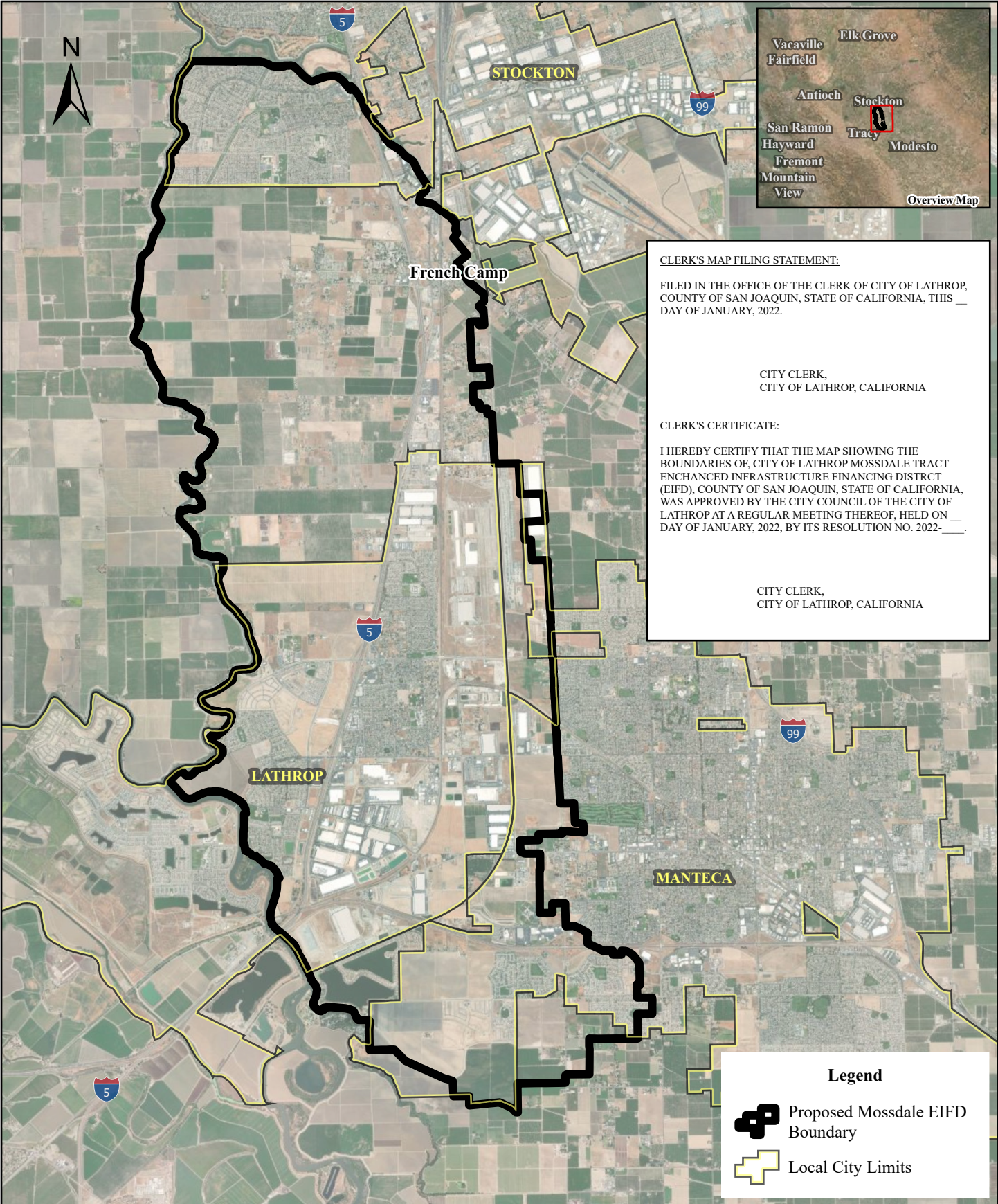
  
\_\_\_\_\_  
Teresa Vargas, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney

Attachment: Attachment 2. Exhibit A - 22-5019 Approve Resolution of Intent to Establish the Proposed Mossdale Tract EIFD (9015 : CAO -





CLERK'S MAP FILING STATEMENT:

FILED IN THE OFFICE OF THE CLERK OF CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, THIS \_\_\_ DAY OF JANUARY, 2022.



CITY CLERK,  
CITY OF LATHROP, CALIFORNIA

CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE MAP SHOWING THE BOUNDARIES OF, CITY OF LATHROP MOSSDALE TRACT ENHANCED INFRASTRUCTURE FINANCING DISTRICT (EIFD), COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LATHROP AT A REGULAR MEETING THEREOF, HELD ON \_\_\_ DAY OF JANUARY, 2022, BY ITS RESOLUTION NO. 2022-\_\_\_.

CITY CLERK,  
CITY OF LATHROP, CALIFORNIA

**Legend**

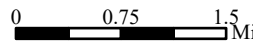
-  Proposed Mosssdale EIFD Boundary
-  Local City Limits

**Proposed Boundary of Mosssdale Tract  
Enhanced Infrastructure Financing District (EIFD)  
County of San Joaquin, California**



Basemap and Overview Aerials provided by ESRI

Map produced on:12/27/2021



Attachment: Attachment 3. Exhibit B – Proposed Mosssdale Tract EIFD Map (9015 : CAO - Approval of Reso of Intent Ptp Mosssdale Tract EIFD

## Attachment 4

### PUBLIC FINANCING AUTHORITY MEMBERSHIP

Membership Composition:

Jurisdiction	Members	SJAFCA Board Members
City of Lathrop	Paul Akinjo & Diane Lazard	X
City of Manteca	Gary Singh & Charlie Halford	X
City of Stockton	Dan Wright & Kimberly Warmsley	X
San Joaquin County	Charles Winn & Katherine Miller	X
Public Member	Mike Morowit	X
Public Member	Steve Dresser	

Proposed 5 PFA Meetings:

**1) First PFA Meeting:**

PFA would adopt a resolution that would do the following:

- a) Direct the preparation of an Infrastructure Financing Plan (IFP);
  - i) Among other things, the IFP contents would include a description of the facilities to be financed by the EIFD, a description of the boundary of the proposed EIFD, certain findings regarding the public benefit of the EIFD, and a financing section that identifies the amount of tax increment to be allocated to the EIFD, projections of tax increment, projections of the fiscal impacts to each of ATE's and the details of the financing plan for the facilities.
- b) Adopts conflict of interest code;
- c) Sets regular meeting dates;
- d) Adopts CEQA guidelines; and,
- e) Adopts the EIFD formation procedures.

**2) Second PFA Meeting:**

Staff is to present the draft IFP, answer questions and consider comments on the draft IFP.

**3) Third PFA Meeting:**

The PFA would conduct the First Noticed Public Hearing on the IFP.

**4) Fourth PFA Meeting:**

The PFA would conduct the Second Noticed Public Hearing on the IFP.

**5) Fifth PFA Meeting:**

Subject to the approval of the IFP by each ATE after the fourth meeting (Second Public Hearing), and lack of sufficient protests requiring an election, the PFA would conduct a Third Public Hearing. After consideration of all written and oral protests, the PFA may then consider adoption of Resolutions approving the IFP and forming the EIFD.



## Attachment 4

### PUBLIC FINANCING AUTHORITY MEMBERSHIP

Note: The IFP will present information and analysis that includes the following:

1. A detailed description of the Boundary of the EIFD. The plan is to create a set of exhibits that will provide more detail than the Boundary identified in Exhibit "B" to the proposed resolution.
2. A description of the facilities to be financed by the EIFD.
3. A finding related to the communitywide benefit of the improvements and facilities financed by the EIFD.
4. An analysis of the fiscal impacts to each of the ATE's associated with new development within the EIFD before and after the allocation of the property tax revenues to the EIFD.
5. A plan for replacing any dwelling units that are proposed to be, or might be, removed as a result of the project.
6. A statement of the goals the EIFD proposes to achieve for the project to be financed.